

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

The video conference deposition of AIMEE JO LANG, taken pursuant to the Federal Rules of Civil Procedure, before Barbara A. Finn-Figliulo, Certified Shorthand Reporter No. 084-002463, at 20 North Clark Street, Suite 1260, Chicago, Illinois, on Wednesday, June 28, 2017, commencing at 9:18 a.m., pursuant to notice.

LOEVY & LOEVY, by
MS. JULIE M. GOODWIN
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appeared on behalf of the plaintiff;

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1 the doctor when they have been, or saying that they
2 didn't -- I did not perform or do the things that
3 they wanted me to.

4 Q. Okay. You are currently employed for
5 Menard, correct?

6 A. Yes.

7 Q. And in what capacity? What is your job
8 title?

9 A. Correctional medical technician.

10 Q. How long have you been in that position?

11 A. Ten and a half years.

12 Q. Prior to working at Menard as a
13 correctional medical technician, did you work
14 in any other IDOC facility?

15 A. No.

16 Q. Okay. You're a college graduate?

17 A. I have a license, a yearlong program
18 for LPN, licensed practical nurse.

19 Q. Okay. Tell me about your education
20 background. Did you graduate from high school?

21 A. Yes. I would have had to have done
22 that in order to go to LPN school.

23 Q. Okay. What year?

24 A. I'm sorry, what year what?

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1 portion of your assessment?

2 So starting at the very top, the
3 date and time is 2/5/14, and can you read the time
4 there?

5 A. 11:55.

6 Q. Okay. And then next to that, I believe
7 there might be an indication there, and then it
8 says, "My head hurts"?

9 A. Yes. "S" meaning -- stands for
10 subjective part of the note.

11 Q. Okay. And then what is -- can you read
12 for me what comes after that?

13 A. In quotations, meaning this is what he
14 told me, "My head hurts. Left wrist."

15 I think it says "right jaw." I'm
16 not certain because I can't read it on this copy.

17 Q. Okay. And then what comes in the next
18 line?

19 A. It's an "O" for objective.

20 Q. Oh, I think before that, it looks like
21 the "and" symbol, and maybe ESP or so?

22 A. I see an "and" symbol, but I can't make
23 out that word, either.

24 Q. Okay. All right. And then the next

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1 A. "A" stands for Assessment, Post Fall.

2 And then on the right-hand side, where there's a

3 "P" --

4 Q. Mm-hmm.

5 A. -- that's for Plan. Follow up PRN,

6 as needed. Injury Report filed, and then my

7 signature.

8 Q. What does it mean when you write

9 "Unable to assess vital signs due to location

10 of evaluation"?

11 A. Wherever we were at the time, I was

12 not able to get to them, and because he was

13 uncooperative.

14 Q. Well, focusing first just on the

15 location of the evaluation, does that mean like

16 physically what room you were in, you could not

17 assess the vital signs? Or what does that mean?

18 A. Generally when someone is being brought

19 to seg, they're held in an area where they have to

20 get switched out security-wise. Whatever they need

21 to do is in a certain area, and in that area, I

22 would not be able to really assess his vitals

23 because he would be behind a caged door or a gate.

24 And he would be cuffed behind the back, so I

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1 wouldn't be able to get to him.

2 Q. Okay. So you believe, then, that when
3 you saw Mr. Nicolas, he was behind a gate and you
4 were on the other side of the gate?

5 A. Generally, like I said, when we assess,
6 that's generally the location. I cannot specify
7 if that's exactly where I was at that time, but
8 generally where you do an evaluation, when it's a
9 seg move, when they're being moved from a different
10 cell house, that's where they would go.

11 Q. Where would the officer, McMillan, have
12 been? Would he have been with the offender behind
13 the gate or on your side of the gate?

14 A. On my side.

15 Q. And --

16 A. It's a very small area.

17 Q. How big, if you can estimate?

18 A. I don't know. I'm trying to -- I mean,
19 is it big enough for two people to probably fit in,
20 yes, but not a safe situation for that type of
21 movement.

22 Q. You mean if the offender was on your
23 side of the gate?

24 A. No, I meant for the officer, because

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1 you asked if the officer was behind the gate with
2 the inmate.

3 Q. Oh, okay. Okay.

4 A. I'm saying that there -- there's a --
5 would be enough space, necessarily, for two people
6 to be in there, but you don't put two people in
7 there.

8 Q. Okay.

9 A. They're put in there for the change of
10 being moved from general population to a seg cell.

11 Q. Now, describe the bars on the gate for
12 me.

13 A. It is like just vertical and horizontal
14 bars that are probably only spaced with maybe a
15 square of approximately a 3 by 3 or a 2 by 2 inch
16 opening.

17 Q. Okay. So you observed Mr. Nicolas
18 through those bars?

19 A. Yes.

20 Q. Okay. As part of your assessment of
21 Mr. Nicolas, did you -- you know, did you touch him
22 in any way?

23 Did you touch his forehead or feel
24 for any broken bones or anything like that?

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1 Q. Okay. Did you examine Mr. Nicolas's
2 left wrist?

3 A. According to my note, I would have.

4 Q. Okay.

5 A. I listed anything that I saw or did not
6 see.

7 Q. Okay. So where in your notes does it
8 indicate that you examined his left wrist? Just
9 point me to that.

10 A. Well, it's saying no deformities,
11 bleeding, or bruising noted to the areas of
12 complaint.

13 Q. Okay.

14 A. And that would have been an area of
15 complaint.

16 Q. Okay. Do you recall if you had any
17 tools with you, you know, any medical tools at the
18 time that you examined Mr. Nicolas?

19 A. I would have normally taken a blood
20 pressure cuff, a stethoscope, and a thermometer.

21 Q. Do you recall if you used those, even
22 if he was behind the bars?

23 A. If I would have used them, there would
24 have been notation saying what I got for each

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1 And can you go ahead and read for me
2 what's written in that section?

3 A. Right above that is saying "Unable to
4 assess due to location/uncooperative."

5 Q. Okay. And then underneath that, go
6 ahead and read that for us.

7 A. As stated on the other notes,
8 "Superficial abrasions noted to left side forehead/
9 hairline, no bleeding noted."

10 Next line, "No swelling, bruising,
11 bleeding, deformities noted to jaw (right), left
12 wrist, or bilateral thighs."

13 Next line, "No apparent distress
14 noted. No other injuries noted. Alert and
15 oriented times 3."

16 Q. Okay. Okay. How is it that you
17 checked for swelling, bruising, bleeding, or
18 deformities to his -- to the thighs, to
19 Mr. Nicolas's thighs?

20 A. The jumpsuit that he may have already
21 been wearing could have been undone, or his -- the
22 area would have been exposed.

23 Q. Any other way that you could have
24 checked?

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1 A. Without him showing me?

2 Q. Correct.

3 A. No.

4 Q. And his wrists were, again, handcuffed
5 behind his back?

6 A. Yes.

7 Q. Okay.

8 A. I would assume, yes.

9 Q. And he was behind the gate?

10 A. Yes.

11 Q. Okay. So in terms of assessing for
12 swelling, bruising, bleeding, and deformities to
13 his jaw, you viewed Mr. Nicolas's jaw through the
14 gate, correct?

15 A. Yes.

16 Q. And in terms of assessing his swelling,
17 bruising, bleeding, or any deformities on his left
18 wrist, you would have viewed that through the gate
19 as well, correct?

20 A. Yes.

21 Q. And that would have been with handcuffs
22 over him, correct?

23 A. Yes.

24 Q. And are the inmates' uniforms in

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1 Q. Go ahead.

2 A. You meant sent through the legal
3 department and issued to me? Is that what you're --

4 Q. Well, if you don't recall, it's okay.
5 It's fine.

6 A. Oh, okay.

7 Q. Do you understand what Mr. Nicolas is
8 alleging occurred in this lawsuit?

9 A. No. Not without reading the paperwork.

10 MS. GOODWIN: Okay. I don't have any other
11 questions for you.

12 EXAMINATION

13 BY MS. JENNINGS:

14 Q. I just have two really quick followups.

15 We talked about how an inmate, when
16 they're taken to North 2, can be placed in a cell
17 or behind a gate.

18 If the inmate reported to you or you
19 viewed injuries on that inmate that were serious
20 that you felt needed to be assessed, you know,
21 without the gate, can you ask to have that inmate
22 taken elsewhere?

23 A. Yes.

24 Q. Okay. And then, if an inmate reports